

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3037
	)	
v.	)	
	)	
FRANK N. JUVIEL and	)	ORDER
JOSE LUIS RODRIGUEZ,	)	
	)	
Defendants.	)	
	)	

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IT IS ORDERED:

1. The motion of defendant Rodriguez to continue trial, [filing 44](#), is granted.

2. Trial as to both defendants is continued to October 14, 2008 at 9:00 a.m. for a duration of nine days before the Honorable Warren K. Urbom in Courtroom 4, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

3. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between this date and the new trial date shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. [18 U.S.C. § 3161\(h\)\(8\)\(A\) & \(B\)](#).

DATED this 22<sup>nd</sup> day of July, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge